

**DOCKET NO.:** 167511.02 / MSFT-0584  
**Application No.:** 09/904,465  
**Office Action Dated:** December 20, 2006

**PATENT**  
**REPLY FILED UNDER EXPEDITED**  
**PROCEDURE PURSUANT TO**  
**37 CFR § 1.116**

## REMARKS

Upon entry of the present amendment, claims 1-8, 11-18 and 21-24 will be pending in this application. Claims 9, 10, 19 and 20 are hereby cancelled. Claims 21-24 are new claims. Claims 9 and 10 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Claims 1-7, 9-17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being allegedly anticipated by United States Patent No. 6,704,738 (“de Vries”) in view of United States Patent No. 6,798,886 (“Smith”). Claims 8 and 18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over de Vries in view of United States Patent No. 5,918,223 (“Blum”). Applicants respectfully traverse the rejections.

### *Interview Summary*

Applicants’ undersigned representative, Mr. Eiferman, and Examiner Chang participated in a telephonic interview on January 22, 2007 to discuss the above claim amendments. Examiner Chang stated that the above claim amendments appeared to overcome the rejections of record.

### *Specification*

The Office Action requests updating of the application cited on page 6, lines 11-14. However, this application was updated as Patno. 6,545,209 in Applicants' response filed May 6, 2005.

### *Rejections under 35 U.S.C. § 101*

Claims 9 and 10 stand rejected under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. Applicants respectfully traverse and note that claims 9 and 10 are hereby cancelled. Applicants further note that new independent claim 21 is explicitly limited to a tangible storage medium. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

***Rejections under 35 U.S.C. § 103***

1. Claims 1-7, 9-17, 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being allegedly anticipated by United States Patent No. 6,704,738 (“de Vries”) in view of United States Patent No. 6,798,886 (“Smith”). Applicants respectfully traverse.

Independent claims 1, 12 and 21 recite that a human classification of each of the media entities is received. A pre-determined threshold number of matching media entities that have both identical human classifications and identical programmatic classifications are then identified. A rule is then generated that the programmatic classification for the matching media entities is equivalent to the human classification for the matching media entities.

De Vries and Smith fail to teach or suggest the identification of a pre-determined threshold number of matching media entities that have both identical human classifications and identical programmatic classifications. De Vries and Smith also fail to teach or suggest generating a rule that the programmatic classification for the matching media entities is equivalent to the human classification for the matching media entities.

Accordingly, Applicants respectfully submit that independent claims 1, 12 and 21 are patentable over the cited references. Applicants further submit that claims 2-7, 11, 13-17 and 22-24 are patentable at least by reason of their dependency. Applicants note that Claims 9, 10, 19 and 20 are hereby cancelled.

2. Claims 8 and 18 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over de Vries in view of Blum. Applicants respectfully disagree and submit that claims 8 and 18 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections are respectfully requested.

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**CONCLUSION**

In view of the above remarks, Applicants respectfully submit that the present application is in condition for allowance. Applicants respectfully submit that no new matter is added in the forgoing amendments. In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration of the present application.

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